

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

JARELYS SANTIAGO, et al.

Plaintiffs

v.

LUMA ENERGY, LLC, et als.

Defendants and Third-party Complainants

v.

SANTA ISABEL ASPHALT

Third-party Defendant

CIVIL NO.: 23-01465 (SCC) (BJM)

RE:

TORT CLAIM

JURY TRIAL DEMANDED

MANUEL REYES MORELL

Plaintiff

v.

SANTA ISABEL ASPHALT, INC, et al.

Defendants

Consolidated with

CIVIL NO.: 23-01511

JURY TRIAL DEMANDED

**URGENT JOINT MOTION FOR EXPEDITE DISPOSITION OF REQUEST FOR
SETTLEMENT APPROVAL AT DOCKET NO. 77 TO PREVENT DISCOVERY DELAY**

TO THE HONORABLE COURT:

COME NOW plaintiffs Jarelys Santiago (“Santiago”) and her underage son M.A.R.S., (jointly referred to as “Plaintiffs”); third party defendant Santa Isabel Asphalt (“SIA”), through their undersigned counsel, and respectfully state and pray:

On December 11, 2024, Plaintiffs and SIA jointly filed a *Verified Joint Motion Under Seal for Approval of Settlement on Behalf of Minor Plaintiff M.A.R.S.* (the “Verified Joint Motion”). See Docket No. 77. The Court’s ruling on this motion will have a direct and significant impact on

the scope and execution of pending discovery. Because the motion deals with a proposed settlement agreement, the decision will determine which parties have to participate in upcoming discovery as well as the scope of discovery. Consequently, Plaintiffs and SIA respectfully urge the Court to issue an expedited ruling on the Verified Joint Motion to ensure efficient progress in this case.

Separately, as urged by the Magistrate Judge during the Initial Scheduling Conference (*see* minute at Docket 67), Plaintiffs have made efforts to resolve their outstanding claims against LUMA Energy, LLC and LUMA Energy ServCo, LLC (“Defendants”). However, despite diligent negotiations, Plaintiffs and Defendants have not yet reached a settlement agreement. In light of this, discovery proceedings in the matter must continue as scheduled in case 23-01465.

The Court has set clear deadlines for discovery and expert reports. Specifically, Plaintiffs have until April 30, 2025, to complete discovery and until May 30, 2025, to submit expert reports. *See* Docket No. 81 (extending deadlines in case 23-01465). Plaintiffs also intend to conduct multiple depositions and engage in thorough expert witness discovery.

Therefore, it is essential for Plaintiffs and SIA to have clarity regarding the parties’ roles in the remaining discovery process. If the Court approves the Verified Joint Motion, SIA will be relieved of any obligation to participate in or conduct further discovery in case 23-01465. In such an event, the claims against SIA in this matter would likely be dismissed, streamlining the litigation and avoiding unnecessary expenditure of resources by all parties involved.

Given these circumstances, Plaintiffs and SIA reiterate the urgency of the Court’s ruling on the Verified Joint Motion. A timely decision will ensure that discovery proceeds in an efficient and equitable manner, while allowing the parties to focus their efforts on resolving the remaining claims.

WHEREFORE, the parties respectfully request from this Court to expeditiously review and approve the settlement on behalf of and for the benefit of minor M.A.R.S., as requested at Docket No. 77.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this January 28, 2025.

WE HEREBY CERTIFY that we electronically filed the foregoing with the Clerk of the Court under seal using the CM/ECF system, which will send notification of such filing to all attorneys who have filed appearances in this case.

Counsel for Plaintiffs

304 Ponce de León, Ste. 990
San Juan, P.R. 00918
(787) 485-2692

/s/ Albéniz Couret Fuentes
Albéniz Couret Fuentes
USDC-PR 222207
acouret@smclawpr.com

/s/ Carlo Defendini-Díaz
Carlo Defendini-Díaz
USDC-PR No. 227814
cd1705@hotmail.com

Counsel for SIA

Carlo G. Agrelot-Aponte, Esq.
De Corral & de Mier Law Offices
#130 Eleanor Roosevelt
San Juan, PR 00918-3105
Tel: (787) 758-0644
Fax: (787) 758-0687
cagrelot@dcdmlaw.com

s/Carlo G. Agrelot-Aponte
USDC-PR-220406